

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Clyde Preston Chappell III
[Enter the full name of the plaintiff in this action]

Civil Action No. 2:12-cv-303-MBS-BHH
(to be assigned by Clerk)

v.

COMPLAINT
State Prisoner

Lucas Miles
Evans Correctional Inst.
610 Hightway 9 West
Bennettsville, SC 29512

Enter above the full name of defendant(s) in this action

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I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise related to your imprisonment? Yes _____ No ✓
- B. If your answer to A is Yes, describe the lawsuit in the space below. If there is more than one lawsuit, describe the additional lawsuits on another piece of paper using the same outline.

1. Parties to this previous lawsuit:

Plaintiff: _____

Defendant(s): _____

2. Court: _____
(If federal court, name the district; if state court, name the county)

3. Docket Number: _____

4. Name(s) of Judge(s) to whom case was assigned: _____

5. Disposition: _____
(For example, was the case dismissed? Appealed? Pending?)

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition:

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II. PLACE OF PRESENT CONFINEMENT

- A. Name of Prison/Jail/Institution: Evans Correctional Inst.
- B. What are the issues that you are attempting to litigate in the above-captioned case? _____
- C. (1) Is there a prisoner grievance procedure in this institution? Yes ☒ No _____
- (2) Did you file a grievance concerning the claims you are raising in this matter? Yes ☒ No _____
- When Nov 13, 2011 Grievance Number (if available) _____
- D. Have you received a final agency/departamental/institutional answer or determination concerning this matter (i.e., your grievance)? Yes ☒ No _____
- E. When was the final agency/departamental/institutional answer or determination received by you? Not enough evidence
- If possible, please attach a copy of your grievance and a copy of the highest level decision concerning your grievance that you have received.*
- F. If there is no prison grievance procedures in this institution, did you complain to prison, jail, or institutional authorities? Yes _____ No _____
- G. If your answer is YES:
1. What steps did you take? _____
 2. What was the result? _____

III. PARTIES

In Item A below, place your name, inmate number, and address in the space provided. Do the same for additional plaintiffs, if any.

- A. Name of Plaintiff: Clyde Preston Chappell Inmate No.: 335214
- Address: 610 Highway 9 West, Bennettsville, SC 29512

In Item B below, place the full name of the defendant, his official position, and place of employment in the space provided. Use Item C for additional defendants, if any.

- B. Name of Defendant: LUCA'S Miles Position: Lt.
- Place of Employment: Evans Correctional Inst.

- C. Additional Defendants (provide the same information for each defendant as listed in Item B above):
- _____
- _____
- _____

IV. STATEMENT OF CLAIM

State here, as briefly as possible, the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach an extra sheet if necessary.

on Oct 28, 2011 approx 5:00pm I was being escorted out of the operations building by Lt Miles (Defendant) and Sgt Ian Rivers to lockup unit as soon as we exit the building into the open Lt Miles placed his spray about one inch from my face and saying "SAY ONE MUTHA FUCKIN WORD SO I CAN LIGHT YOUR ASS UP" He repeated over and over I gave him the hand motion that I would write it up, complying with his order not to say anything cause I know he wanted to spray me, then he repeated the statement thru his teeth, I gave the hand motion again and he said I dont care you Fucking Faggot with your soft ass I turn to look at him and he repeats the statement "Say one mutha fuckin word so I can light your ass up FAGGOT, We then approached the control room where Sgt Clark was looking up what assign room, as I look to the left Lt. Miles comes up on my right and push's his body into me knocking me off balance I then look at him and he says thru his teeth the statement again, as we walk onto B-wing he still has his gas out saying his statement ending it with you fucking faggot, I was then locked into room 224 I asked for the captain to begin my informal resolution to Sgt Clark, no one ever came I asked for medical and no one ever came Sgt Clarks response was they will see if they got time, I have sent two request to the warden of Evans and never got a response, also filed grievances on Nov 13, 2011 to be returned saying not enough evidence. I also spoke with the investigator Mr. Stuckey and he said to just file a grievance

V. RELIEF

State briefly and exactly what you want the court to do for you.

Mr. Miles to be terminated from SCDC (South Carolina Dept of
Corrections), transfer to another institution, and monetary compensation
- I would like to be transfer to another inst.
- Monetary Relief
- Mr. Miles be charged with Simple Assault and discrimination

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 24th day of January, 2012.

Clyde Preston Chappell III

Signature of Plaintiff